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Lauren E. Jessenden

PATENT
7836XD

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Keith H. Baker et al : Paper No.:
Serial No.: 10/007,449 : Group Art Unit: 1751
Filing Date: November 5, 2001 : Examiner: Tsoy
For: **Compositions for Treating Shoes and Articles Employing Same**

AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment accompanies a Request for Continued Examination, filed in this application by Certificate of Mailing on October 7, 2003.

Prior to a further first action by the Examiner, please amend the present application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.



1762 \$ RCE 1700 CC

PTO/2B/30 (5/2000)

Approved for use through xx/xx/xxxx. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|----------------------|
| Application Number | 10/007,449 |
| Filing Date | November 5, 2001 |
| First Named Inventor | Keith H. Baker et al |
| Group Art Unit | 1751 |
| Examiner Name | E. Tsoy |
| Attorney Docket Number | 7836XD |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required.)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
- i. ☐ RCE fee required under 37 C.F.R. §1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$_____ enclosed
- c. ☒ Please charge the amount of \$770.00 to our Visa credit card. Form PTO-2038 is enclosed
- d. ☒ The Director is hereby authorized to charge any deficiencies, or credit any overpayments, to Deposit Account No. 04-1133

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

| | | | |
|-------------------|-------------------|-----------------------------------|---------|
| Name (Type/Print) | Denise M. Everett | Registration No. (Attorney/Agent) | 47,552 |
| Signature | | Date | 10-7-03 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the below date.

| | | | |
|-------------------|----------------------|------|-----------------|
| Name (Type/Print) | Laureen E. Fessenden | Date | October 7, 2003 |
| Signature | | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

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01 FD-1201 770.00
02 FD-2038 234.00

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For: **Compositions for Treating Shoes and Articles Employing Same**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above identified application.

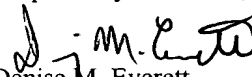
- ☐ No additional fee is required.
☒ Also attached: Request for Continued Examination

The fee has been calculated as shown below:

| | NO. OF CLAIMS | HIGHEST PREVIOUS PAID FOR | EXTRA CLAIMS | RATE | FEE |
|----------------------|------------------|---------------------------------|-----------------|-----------|-----------------|
| Total Claims | 33 | 20 | 13 | x \$18.00 | \$234.00 |
| Independent Claims | 2 | 4 | 0 | x \$86.00 | -- |
| TOTAL FEE DUE | | | | | \$234.00 |

- ☐ A check in the amount of \$0 is enclosed.
☐ Please charge my Deposit Account No. 04-1133 in the amount of \$0.
☒ Please charge \$252.00 to our Visa credit card. Form PTO-2038 is enclosed.
☒ The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 04-1133, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,


Denise M. Everett

Registration No. 47,552

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1900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
(513) 977-8787
Date: October 7, 2003
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